

Ser. No. 10/541,784  
Amdt. dated May 23, 2008  
Reply to Office Action of February 26, 2008

PF030025

**Remarks/Arguments**

**35 U.S.C. §112, ¶2**

The Examiner has rejected claim 1 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, Examiner noted lack of antecedent basis for the phrase "a characteristic of the predetermined signal." (Office Action, page 2)

Claim 1 has been modified to clarify that the predetermined signal to be measured is the radiofrequency signal that is to be transmitted by the transmission means to the several receiver means. In view of the above remarks and amendments to claims, it is respectfully asserted that the rejection has been satisfied and should be withdrawn.

**35 U.S.C. §102**

Claims 1-7 and 11-14 stand rejected under 35 U.S.C. §102(e) as being anticipated by Barratt et al., U.S. Patent No. 7,277,679 B1 (hereinafter "Barratt").

The present invention, as recited by currently amended claim 1, describes a "measurement system for measuring the reception quality of a predetermined radiofrequency signal transmitted from a transmission means to several receiver means comprising: several measurer means respectively linked to the receiver means each to determine whether a characteristic of the predetermined radiofrequency signal received by the respective receiver means satisfies a predetermined reception criterion, a counting means to count a number of satisfactory receiver means in which the reception criterion is satisfied, and an indicator means to establish a reception quality indicator depending on the number of satisfactory receiver means."

It is respectfully asserted that Barratt fails to disclose "a counting means to count a number of satisfactory receiver means in which a predetermined reception criterion is satisfied," as described in currently amended claim 1.

Barratt teaches "methods and apparatuses, including computer program products, for spatial processing in a radio receiver. One embodiment is a radio receiver for operation in a wireless communication system. The radio receiver may include a receive processing

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unit to process signals received by an antenna array by applying a selected spatial processing mode of a plurality of spatial processing modes. The modes include one or more modes of one or more spatial processing methods. The receiver also includes a selector to select the spatial processing mode from the plurality of spatial processing modes. The selecting includes selecting the spatial processing method in the case that the set of spatial processing modes are of more than one spatial processing method.” (Barratt Abstract)

The Office Action asserts that Barratt “discloses measurement system for measuring the reception quality of a predetermined radiofrequency signal (reception signal quality) transmitted from a transmission means (Fig. 2, element 106) to several receiver means (Fig. 2, element 107) comprising: several measurer means (Fig. 2C, measure elements RSSI, BER, FER, SNR, SINR, [0093]) respectively linked to the receiver means (Fig. 2C, elements 203-1, ...203-M, [0062]) each to determine whether a characteristic of the predetermined signal (a quality of received signal strength) received by the respective receiver means satisfies a predetermined reception criterion (performance-based criteria, [0093], [0098]), a counting means (Figs. 2C, 5, mode ,selection elements in element 202, [0062]) to count a number of satisfactory receiver means in which the reception criterion is satisfied , and an indicator means (Fig. 4, button 404 , the selector selects a different mode from the one in effect, [0090]-[0093]) to establish a reception quality indicator depending on the number of satisfactory receiver means.” (Office Action, page 3)

Barratt discloses a method for “selecting the best antenna from the antennas 203-1, ..., 203-M according to the quality of the signal received. (see FIG.2C, page 6, [0062]) In Barratt, the “switchable power supply switched all receive paths but one off ... Only one receive path is active, and the strategy for determining, i.e., selecting the antenna to use, is computationally simple.” (see FIG.2C, page 6, [0062])

Barratt does not, however, describe measurement of all receive paths using separate measurer means in order to allow counting of the number of satisfactory receiver means and to establish a reception quality indicator. Barratt does not describe a counting means or multiple measurer means. The network 202 of Barratt is only used for selecting the best antenna, not for counting the number of satisfactory antennas. Therefore, Barratt fails to

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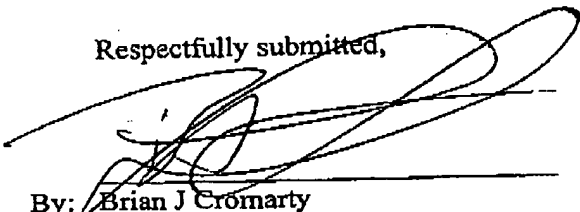
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disclose "a counting means to count a number of satisfactory receiver means in which a predetermined reception criterion is satisfied," as described in currently amended claim 1.

In view of the above remarks and amendments to claims, it is respectfully submitted there is no USC 112 enabling disclosure provided by Barratt which makes the present invention as claimed in currently amended claim 1 unpatentable. Since dependent claims 2-7 and 11-14 are dependent from allowable independent claim 1, it is submitted that they too are allowable for at least the same reasons that claim 1 is allowable. Thus, it is further submitted that this rejection has been satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's representative at (609) 734-6804, so that a mutually convenient date and time for a telephonic interview may be scheduled. No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,

  
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